NOV 0 7 2008

PTO/SB/21 (09-08) Approved for use through 10/31/2008. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/695,067 TRANSMITTAL Filing Date October 28, 2003 First Named Inventor **FORM** J. Stewart Young, et al Art Unit 3733 **Examiner Name** Jerry L. Cumberledge (to be used for all correspondence after initial filing) Attorney Docket Number MSDI-1002 / PC0000767.00 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC ✓ Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify **Terminal Disclaimer Extension of Time Request** below): Return Postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Krieg DeVault LLP Signature Printed name Dean E. McConnell Reg. No. Date 44,916 November 5, 2008 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date November 5, 2008 Dean E. McConnell Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

NOV 0 7 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	
)	Before the Examiner
YOUNG et al.	CUMBERLEDGE, Jerry L.
	•
Serial No. 10/695,067	Group Art Unit
)	3733
Filed: October 28, 2003	
)	
MULTI-AXIAL CROSS-LINK CONNECTOR)	November 5, 2008
SYSTEM FOR SPINAL IMPLANTS)	

RESPONSE TO FINAL OFFICE ACTION

Mail Stop: Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the pending final action in this case, please consider the following amendments and remarks. Applicant respectfully requests issuance of a Notice Allowance indicating that the present application is in condition for allowance. No extensions of time or other fees are believed to be due for consideration of this paper, but if any fees are deemed to be necessary, please provide such extensions and charge any such fees to Deposit Account No. 12-2424, but not to include issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on

November 5, 2008

Date of Deposit or Transmission

Dean E. McConnell

Name of Registered Representative

Signature